

SI

Section: 19, Socioeconomic Programs

Subject: 19.5, 8(a) Pilot Program

PURPOSE:	This supplemental instruction (SI) describes the procedures implementing the 8(a) Pilot Program.
POLICY:	The Laboratory may negotiate and award subcontracts directly with firms approved to participate in the U. S. Small Business Administration's (SBA) disadvantaged business development program (Section 8(a) of the Small Business Act, i.e., the 8(a) Program).
SCOPE:	This SI is applicable to all subcontracts estimated at \$ 3 million or less, and construction up to \$ 5 million.
DEFINITIONS:	
Development Stage	An 8(a) certified firm is in the development stage of the program during the first four years of its participation.
Transition Stage	An 8(a) certified firm is in the transition stage of the program during the second five years, which is the balance of the authorized term of its participation .
PROCEDURES:	
General	<p>The DOE has approved the Laboratory's participation in the 8(a) Pilot Program. Normally, 8(a) awards are made by a Federal Agency to the SBA, which in turn subcontracts to the 8(a) firm for performance. The Pilot Program, as approved for LLNL participation, allows the Laboratory to make direct awards to 8(a) certified firms in both the developmental and transitional stages of the 8(a) Program</p> <p>Awards in the 8(a) Pilot Program shall be processed as other awards of similar dollar value. All SPs and SIs are applicable as if the procurement was not conducted as part of the Pilot Program, with the exception of SP 6.2, Single-Source Subcontracts.</p>

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Source Identification by BAAO

The Laboratory is authorized to make noncompetitive awards to SBA certified 8(a) firms) without consideration of normal single-source justification factors and procedures.

No premium pricing is allowed for participating 8(a) firms.

All requisitions exceeding \$ 25,000 are reviewed by the Business Affirmative Action Office for identification of potential small business or small disadvantaged business sources. The BAAO will identify a firm's status as participating in the SBA's 8(a) program as part of this review.

If an 8(a) source or sources are identified, the BAAO may recommend that the procurement be processed under the 8(a) Pilot Program either competitively or non competitively.

Consultation

The decision whether or not to process the procurement under the Pilot Program is the responsibility of the Group Leader in consultation with the BAAO, and the Division Leader as appropriate.

The Procurement Manager shall resolve any disagreement between the operational division and the BAAO.

Single-Source Solicitation

While there is a preference for competitive solicitation within the Pilot Program, on occasion it may be in the Laboratory's interest to solicit only one source, such as, but not limited to, to reduce solicitation and evaluation time or when the nature of the procurement is such that the search for possible 8(a) sources is geographically restricted.

A Justification for Noncompetitive Procurement is not required to support a single-source solicitation under the 8(a) Pilot Program.

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Reporting	Procurements under the Pilot Program, whether competitive or noncompetitive, will not be considered in the base for calculation of competition.
BAAO	<p>Reports identifying subcontracts awarded under the Pilot Program are to be submitted by the BAAO to DOE-OAK on a quarterly basis, within one week after the close of each quarter. The following minimum information shall be provided, on a subcontract by subcontract basis:</p> <ul style="list-style-type: none">• Purchase order/subcontract number• Name and address of firm• Name and address of SBA Regional Office to which the 8(A) firm is assigned• Type of service or product supplied• Date of award• Total value of purchase order/subcontract• Obligations for the respective quarter• Period of performance dates
PARIS	Awards made under the Pilot Program shall be coded in PARIS as an 8(a) award, regardless of whether it is competitive or noncompetitive.
RESPONSIBILITIES: BAAO	<p>The BAAO is responsible for:</p> <ul style="list-style-type: none">• Identifying prospective 8(a) certified sources for individual procurement actions• Recommending processing the procurement under the Pilot Program
Group Leader	The Group Leader is responsible for determining, in consultation with BAAO, and the Division Leader as appropriate, whether the procurement will be processed under the Pilot Program

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Procurement Manager	The Procurement Manager is responsible for resolving any disagreement between the operational division and BAAO.
Procurement Specialist	The procurement specialist is responsible for processing the procurement in accordance with the SPs and SIs, as applicable, once the decision regarding procurement under the Pilot Program is made.